



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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**23 April 2010**

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms

ADEM = Alabama Department of Environmental Protection  
ARB = Air Resources Board  
CAFÉ = Comparative aircraft flight efficiency  
CCR = *California Code of Regulations*; also *Colorado Code of Regulations*  
CDPHE = Colorado Department of Public Health and Environment  
CFR = *Code of Federal Regulations*  
COMAR = *Code of Maryland Regulations*  
CRNR = California Regulatory Notice Register  
CRT = Cathode ray tube  
DHWM = Division of Hazardous Waste Management  
DIDP = Di-isodecyl phthalate  
DoE = Department of Energy  
EPA = U.S. Environmental Protection Agency  
F.A.C. = Florida Administrative Code  
FAW = *Florida Administrative Weekly*  
FDEP = Florida Department of Environmental Protection  
FEMP = Federal Energy Management Program  
FR = *Federal Register*  
GHG = Greenhouse gas  
HGB = Houston –Galveston - Brazoria  
KSC = Kennedy Space Center  
LDEQ = Louisiana Department of Environmental Quality  
LRPUT = Land reclamation projects using tires  
LVESO = Low-voltage electrical safety order  
MADL = Maximum allowable dose level  
MAF = Michoud Assembly Facility  
MDE = Maryland Department of the Environment  
MDEQ = Mississippi Department of Environmental Quality  
Md.R. = *Maryland Register*  
NAAQS = National Ambient Air Quality Standard  
NASA = National Aeronautics and Space Administration

NESHAP = National Emission Standards for Hazardous Air Pollutants  
NMAC = New Mexico Administrative Code  
NPDES = National Pollutant Discharge Elimination System  
NSPS = New Source Performance Standard  
NSR = New Source Review  
OAC = Ohio Administrative Code  
OEHA = Office of Environmental Health Hazard Assessment  
OEPA = Ohio Environmental Protection Agency  
OSHA = Occupational Safety and Health Administration  
ppb = Part per billion  
PVC = polyvinyl chloride  
RCRA = Resource Conservation and Recovery Act  
REL = Reference exposure level  
RfD = Reference dose  
RIN = Regulatory Identification Number  
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication  
RRP = Renovation, repair, and painting  
SIP = State Implementation Plan  
SJRWMD = St. Johns River Water Management District  
TAC = Texas Administrative Code  
TBD = To be determined  
TCEQ = Texas Commission on Environmental Quality  
TexReg = *Texas Register*  
TMDL = Total maximum daily load  
U.S. = United States  
Va.R. = *Virginia Register*  
VAC = Virginia Administrative Code  
VDEQ = Virginia Department of Environmental Quality  
VOC = Volatile organic compound

# 1.0 U.S. Federal Regulatory Review

## 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED04232010-1	Air GHGs	04/12/2010	<a href="#">75 FR 18455</a>	Proposed Rule	<p>Mandatory Reporting of Greenhouse Gases [40 CFR Part 98]</p> <p>Proposes to amend the Mandatory Greenhouse Gas Reporting Rule to require facilities subject to the rule to provide the following:</p> <ul style="list-style-type: none"> <li>Name, address, and ownership status of their U.S. parent company</li> <li>Primary and all other applicable North American Industry Classification System code(s)</li> <li>Indication of whether any of their reported emissions are from a co-generation unit</li> </ul> <p>Comments due 06/11/2010. [RIN 2060-AQ02]</p>	
FED04232010-2	Air GHGs, Carbon Sequestration	04/12/2010	<a href="#">75 FR 18575</a>	Proposed Rule	<p>Mandatory Reporting of Greenhouse Gases: Injection and Geologic Sequestration of Carbon Dioxide; Proposed Rule [40 CFR Part 98]</p> <p>Proposes to require reporting on carbon dioxide injection and geologic sequestration. Comments due 06/11/2010. [RIN 2060-AP88]</p>	
FED04232010-3	Air GHGs, Fluorinated GHGs	04/12/2010	<a href="#">75 FR 18651</a>	Proposed Rule	<p>Mandatory Reporting of Greenhouse Gases [40 CFR Part 98]</p> <p>Mandatory Reporting of Greenhouse Gases: Additional Sources of Fluorinated GHGs</p> <p>Revises and supplements proposed actions to require reporting of fluorinated GHG emissions from certain source categories, including electronics manufacturing, production of fluorinated gases, and use of electrical transmission and distribution equipment. Also proposes to require reporting from manufacture or refurbishment of electrical equipment and import and export of pre-charged equipment and closed cell foams. Comments due 06/11/2010. [RIN 2060-AQ00]</p>	<a href="#">NASA facilities</a> should consider reviewing this proposal for potential impacts.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED04232010-4	Air GHGs, Petroleum and Natural Gas Systems	04/12/2010	<a href="#">75 FR 18607</a>	Proposed Rule	<p>Mandatory Reporting of Greenhouse Gases: Petroleum and Natural Gas Systems [40 CFR Part 98]</p> <p>Proposes a supplemental rule to require reporting of GHG emissions from petroleum and natural gas systems. Would require emissions reporting from the following industry segments:</p> <ul style="list-style-type: none"> <li>Onshore petroleum and natural gas production</li> <li>Offshore petroleum and natural gas production</li> <li>Natural gas processing</li> <li>Natural gas transmission compressor stations</li> <li>Underground natural gas storage</li> <li>Liquefied natural gas storage</li> <li>Liquefied natural gas import and export terminals</li> <li>Distribution.</li> </ul> <p>Comments due 06/11/2010. [RIN 2060-AP99]</p>	
FED04232010-5	Air NAAQS—Lead	04/21/2010	<a href="#">75 FR 20483</a>	Notice	<p>Notice of Workshop To Discuss Policy-Relevant Science to Inform EPA's Integrated Plan for the Review of the Lead National Ambient Air Quality Standards</p> <p>Announces a workshop entitled, "<a href="#">Workshop to Discuss Policy-Relevant Science to Inform EPA's Integrated Plan for Review of the National Ambient Air Quality Standards for Lead</a>." Workshop to be held 05/10/2010 and 05/11/2010 in Research Triangle Park, North Carolina.</p>	
FED04232010-6	Air NSR Aggregation	04/15/2010	<a href="#">75 FR 19567</a>	Proposed Rule	<p>Prevention of Significant Deterioration and Nonattainment New Source Review: Aggregation; Reconsideration [40 CFR Parts 51 and 52]</p> <p>Requests comments on a petition for reconsideration of recent NSR Aggregation amendments (<a href="#">74 FR 2376</a>, 01/15/2009). Amendments established a new interpretation of the rules governing the modification of major sources by requiring sources and permitting authorities to combine emissions from similar activities at a major stationary source only when the activities are "substantially related." Proposes to extend effective stay on amendments until 11/18/2010. Comments due 05/17/2010. A hearing will be held 04/30/2010 if anyone contacts EPA to request to speak at one by 04/26/2010. [RIN 2060-AP80]</p> <p><a href="#">For further details, see RRAC PC summary of this regulation on the website.</a></p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED04232010-7	Aviation Technology Green Flight Challenge	04/22/2010	<a href="#">75 FR 21044</a>	Notice	<p>National Aeronautics and Space Administration</p> <p>Notice of Centennial Challenges 2011 CAFE Green Flight Challenge</p> <p>Notice that the 2011 CAFE Green Flight Challenge is scheduled and teams that wish to compete may register. Centennial Challenges is a program of prize competitions to stimulate innovation in technologies of interest and value to NASA and the nation. The 2011 CAFE Green Flight Challenge is a prize competition designed to bring about the development of new aviation technologies that can greatly improve the efficiency of future air vehicles while meeting minimum speed and range requirements, maintaining or enhancing safety features, and reducing noise. Contest to be held 07/10/2010 through 07/17/2010.</p>	
FED04232010-8	Energy Building Energy Codes	04/21/2010	<a href="#">75 FR 20833</a>	Notice	<p>Office of Energy Efficiency and Renewable Energy</p> <p>Building Energy Codes</p> <p>Solicits information about how to better assist the states to adopt, implement, enforce, and assess compliance with the current model building energy codes. A number of states are in the process of, or planning to, update, implement, and enforce their building energy codes. Many states will implement plans to assess and improve compliance with their updated codes. Solicits information regarding the following topics:</p> <ul style="list-style-type: none"> <li>Problems, issues, and barriers to the adoption, implementation, enforcement, and improved compliance with improved building energy codes</li> <li>Training needed for designers, builders, code officials, owners, and others to support upgraded codes</li> <li>Processes, information, materials, and tools necessary to upgrade building codes</li> <li>Assistance and resources available from stakeholders, states, local jurisdictions, and others</li> </ul> <p>Comments due 05/21/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED04232010-9	Energy Smart Grid Cyber Security	04/13/2010	<a href="#">75 FR 18819</a>	Notice	National Institute of Standards and Technology Second Draft National Institute of Standards and Technology Interagency Report 7628, Smart Grid Cyber Security Strategy and Requirements; Request for Comments  Seeks comments on the second draft of National Institute of Standards and Technology Interagency Report 7628, Smart Grid Cyber Security Strategy and Requirements. Second draft has been updated to address comments submitted. In addition, the privacy, vulnerability categories, bottom-up analysis, individual logical interface diagrams, and cyber security strategy sections have all been updated and expanded and the requirements section has been revised to include requirements for the entire Smart Grid. Also includes new sections on research and development, standards assessment, and an overall logical functional architecture. Comments due 06/02/2010.	
FED04232010-10	Hazardous Materials Methyl Isocyanate	04/23/2010	<a href="#">75 FR 21223</a>	Notice	Chemical Safety and Hazard Investigation Board National Academy of Sciences Study Announces a study to examine the use and storage of methyl isocyanate, including the feasibility of implementing alternative chemicals or processes and an examination of the cost of alternatives. Outlines the scope of the study and requests public comments. Comments due 05/10/2010.	<a href="#">NASA Programs</a> that use isocyanate materials should be aware of this study.
FED04232010-11	Hazardous Materials and Hazardous Wastes Saccharin and Its Salts	04/22/2010	<a href="#">75 FR 20942</a>	Proposed Rule	Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Removal of Saccharin and Its Salts From the Lists of Hazardous Constituents, Hazardous Wastes, and Hazardous Substances [40 CFR Parts 261, 268 and 302]  Proposes to remove saccharin and its salts from the lists of hazardous constituents and commercial chemical products that are hazardous wastes. Also proposes to remove saccharin and its salts from the list of hazardous substances. Comments due 06/21/2010. [RIN 2050-AG55]	
FED04232010-12	Hazardous Materials Transportation	04/21/2010	<a href="#">75 FR 20877</a>	Notice	Pipeline and Hazardous Materials Safety Administration Office of Hazardous Materials Safety; Notice of Application for Special Permits List of applications for special permits. Includes the following: <ul style="list-style-type: none"> <li>NASA, Kennedy Space Center, Florida. To authorize the transportation of nitrogen, compressed in alternative packaging (a Flex Hose Rotary Coupler Integrated assembly). By motor vehicle and cargo aircraft only.</li> </ul> Comments due 05/21/2010.	<a href="#">KSC</a> should be aware of this listing.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED04232010-13	Navigational Safety Mississippi River	04/20/2010	<a href="#">75 FR 20619</a>	Notice	<p>U.S. Coast Guard</p> <p>Lower Mississippi River Waterway Safety Advisory Committee; Meeting</p> <p>Notice that the Lower Mississippi River Waterway Safety Advisory Committee will meet to discuss various issues relating to navigational safety on the Lower Mississippi River and related waterways. The meeting, which will be open to the public, will be held 05/06/2010 in New Orleans, Louisiana.</p>	
FED04232010-14	Nuclear Airborne Radioactive Materials	04/20/2010	<a href="#">75 FR 20645</a>	Notice	<p>Nuclear Regulatory Commission</p> <p>Draft Regulatory Guide: Issuance, Availability</p> <p>Notice of availability of draft regulatory guide, titled, "<a href="#">Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other than Power Reactors</a>." Provides guidance regarding methods acceptable for meeting the constraint on air emissions of radioactive material to the environment. Comments due 06/14/2010.</p>	
FED04232010-15	Oil Pollution	04/20/2010	<a href="#">75 FR 20618</a>	Notice	<p>U.S. Coast Guard</p> <p>Interagency Coordinating Committee on Oil Pollution Research; Public Meeting</p> <p>Notice that the Interagency Coordinating Committee on Oil Pollution Research will hold a public meeting to hear comments about the priorities of oil pollution research, including projects in the Arctic environment. Purpose of the Interagency Committee is as follows</p> <ul style="list-style-type: none"> <li>To prepare a comprehensive, coordinated federal oil pollution research and development plan</li> <li>To promote cooperation with industry, universities, research institutions, state governments, and other nations through information sharing, coordinated planning, and joint funding of projects</li> </ul> <p>The Interagency Committee is chaired by the Coast Guard and was commissioned with 13 members, including NASA. Meeting to be held 05/19/2010 in Seattle, Washington.</p>	



RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED04232010-16	Policy	04/20/2010	<a href="#">75 FR 20765</a>	Notice	<p>Office of the President</p> <p>A 21st Century Strategy for America's Great Outdoors</p> <p>Establishes the America's Great Outdoors Initiative. The goals of the Initiative are to:</p> <ul style="list-style-type: none"> <li>Reconnect Americans, especially children, to America's rivers and waterways, landscapes of national significance, ranches, farms and forests, great parks, and coasts and beaches by exploring a variety of efforts.</li> <li>Build upon state, local, private, and tribal priorities for the conservation of land, water, wildlife, historic, and cultural resources, creating corridors and connectivity across these outdoor spaces, and enhancing neighborhood parks; and determine how the federal government can best advance those priorities through public private partnerships, and locally supported conservation strategies.</li> <li>Use science-based management practices to restore and protect U.S. lands and waters for future generations.</li> </ul> <p>Dated 04/16/2010.</p> <p><b>Further information is posted on the Department of Interior website.</b></p>	
FED04232010-17	Policy Federal Government Management	04/22/2010	<a href="#">75 FR 20895</a>	Executive Order	<p>Office of the President</p> <p>Establishing the President's Management Advisory Board</p> <p>Establishes that the President's Management Advisory Board within the General Services Administration. Board will provide the President and the President's Management Council advice and recommendations about effective strategies for the implementation of best business practices on matters related to federal government management and operation, with a particular focus on productivity, the application of technology, and customer service.</p>	
FED04232010-18	Species North American Wolverine	04/15/2010	<a href="#">75 FR 19591</a>	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Initiation of Status Review of the North American Wolverine in the Contiguous United States [50 CFR Part 17]</p> <p>Announces the initiation of a status review of the North American wolverine in the contiguous United States to determine whether it should be listed as endangered or threatened. Comments due 05/17/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED04232010-19	Traffic Safety	04/22/2010	<a href="#">75 FR 20935</a>	Notice	<p>Federal Highway Administration</p> <p>National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Maintaining Minimum Retroreflectivity of Longitudinal Pavement Markings [23 CFR Part 655]</p> <p>Proposes to amend the Manual on Uniform Traffic Control Devices to include standards, guidance, options, and supporting information relating to maintaining minimum levels of retroreflectivity for pavement markings. Would establish a uniform minimum level of nighttime pavement marking performance based on the visibility needs of nighttime drivers. This manual is recognized as the national standard for traffic control devices used on all streets, highways, bikeways, and private roads open to public travel. Comments due 08/20/2010.</p>	

## 1.2 Other News and Developments

### 1.2.1 EPA Finalizes the 2008 National U.S. Greenhouse Gas Inventory

EPA has released the 15th annual U.S. GHG inventory report, which shows a drop in overall emissions of 2.9 percent from 2007 to 2008. The downward trend is attributed to a decrease in carbon dioxide emissions associated with fuel and electricity consumption.

Total emissions of the six main GHGs in 2008 were equivalent to 6,957 million metric tons of carbon dioxide. The gases include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

The *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2008* is the latest annual report that the U.S. has submitted to the Secretariat of the United Nations Framework Convention on Climate Change. The convention sets an overall framework for intergovernmental efforts to tackle the challenge posed by climate change. EPA prepares the annual report with experts from multiple federal agencies after gathering comments from a broad range of stakeholders across the country.

The inventory tracks annual GHG emissions at the national level and presents historical emissions from 1990 to 2008. The inventory also calculates carbon dioxide emissions that are removed from the atmosphere by "sinks," which occur through the uptake of carbon by forests, vegetation, and soils.

To review the *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2008*, visit [EPA's Climate Change website](#).

### 1.2.2 EPA's Office of Inspector General Scientific Analysis of Perchlorate

On 18 February 2005, EPA issued a [perchlorate reference dose](#) (RfD) that corresponds to a drinking water equivalent level of 24.5 parts per billion (ppb). A regulatory determination is pending on whether to issue a National Primary Drinking Water Regulation. The EPA Office of Inspector General has conducted an independent scientific review of the risk assessment process and procedures used to develop and derive the perchlorate RfD.

The *Office of Inspector General Scientific Analysis of Perchlorate* report, released on 19 April 2010, can be found on EPA's Office of Inspector General [website](#). Further information regarding EPA's work on perchlorate is available on the Drinking Water [website](#).

### 1.2.3 EPA Strengthens Protections in Lead Safe Program

EPA announced that renovations and repairs of pre-1978 housing must now be conducted using more rigorous safety practices. In 2008, EPA finalized the Lead Renovation, Repair and Painting Rule, which requires contractors to be trained and certified in lead-safe work practices ([73 FR 21691](#), 22 April 2008). Compliance with the requirements of the rule was mandatory as of 22 April 2010. In addition to the original rule, EPA has posted on its website pre-proposal copies of three additional actions:

- A [final rule](#) to apply lead-safe work practices to all pre-1978 homes, effectively closing an exemption that was created in 2008. The rule will become effective 60 days after publication in the *Federal Register*.
- A [proposed rule](#) to require dust-wipe testing after most renovations and to provide the results of the testing to the owners and occupants of the building. For some of these renovations, the proposal would require that lead dust levels after the renovation be below the regulatory hazard standards. EPA will take comment on the proposal for 60 days after publication in the *Federal Register*. The agency expects to finalize the rule by July 2011.
- An [advance notice of proposed rulemaking](#) to announce EPA's intention to apply lead-safe work practices to renovations on public and commercial buildings. The advance notice also announces EPA's investigation into lead-based paint hazards that may be created by renovations on the interior of these public and commercial buildings. If EPA determines that lead-based paint hazards are created by interior renovations, EPA will propose regulations to address the hazards.

EPA is providing guidance to facilitate compliance and ease the transition period following the rule's effective date. The guidance and information regarding the National Safe Lead Program can be found on [EPA's lead website](#).

### 1.2.4 FEMP Launches New Water Management E-Learning Course

The U.S. Department of Energy (DoE) Federal Energy Management Program (FEMP) launched a new water management e-learning course designed to help federal agencies better manage water resources and meet water efficiency requirements. The course introduces key elements of water resource management, planning, and implementation.

The online course was developed using materials from a 2-day FEMP classroom course as well as interactions with and feedback from federal energy and facility managers, industry experts, and equipment vendors. The Water Management E-Learning Course can be found on the [FEMP Online Training Center website](#)

### 1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- 19 May
- 9 June
- 30 June
- 21 July
- 11 August
- 1 September
- 22 September
- 24 November
- 15 December

## 2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

### 2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL04232010-1	Water NPDES Permits	04/18/2010	<a href="#">Public Notice 210</a>	Proposed Rule	Alabama Department of Environmental Protection  335-ADEM 6-Water Quality Program 6-National Pollutant Discharge Elimination System (NPDES)  Proposes revisions to the Notice of Intent provisions for 335-6-6-23 General Permits under the NPDES program. These revisions are necessary for consistency with 40 CFR 122.28. A list of specific changes can be found in the <a href="#">Division 6</a> document. A <a href="#">public hearing</a> is scheduled for 06/04/2010 at ADEM, Montgomery, Alabama.	

### 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA04232010-1	Air Engines	04/16/2010	<a href="#">CRNR 2010.16z, p. 595</a>	Final Rule	Air Resources Board  Resubmittal of Small Off-Road Engines [13 CCR 2401, 2403-6, 2408, 2408.1, 2409]  Reforms and rebalances the Certification and Production Credits Program for small off-road engines: <ul style="list-style-type: none"> <li>Establishes a 5-year expiration on certification credits</li> <li>Eliminates production credits</li> <li>Encourages the development of cleaner small-engine technologies</li> </ul> Further information, including the <a href="#">final rule text</a> , is available on ARB's Small Off-Road Engine <a href="#">website</a> . Effective 05/05/2010.	
CA04232010-2	Occupational Safety Electrical Safety	04/16/2010	<a href="#">CRNR 2010.16z, p. 596</a>	Final Rule	Occupational Safety and Health Standards Board  Low Voltage Electrical Safety Orders--Addendum [8 CCR 2305.2, 2340.16, 2360.3, 2405.4, 2534.8]  Updates the LVEISO to be at least as effective as federal OSHA requirements. Effective 05/06/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA04232010-3	Proposition 65 Diisocyanates	04/23/2010	<a href="#">CRNR 2010. 17z, p. 619</a>	Proposed Action	<p>Office Of Environmental Health Hazard Assessment</p> <p>Revised Reference Exposure Levels for Toluene Diisocyanate and Methylene Diphenyl Diisocyanate</p> <p>Proposes revisions to RELs for toluene diisocyanate and methylene diphenyl diisocyanate and solicits public comment. Further information is available on the OEHHA <a href="#">website</a>. Comments due 06/22/2010.</p> <p><b>Toluene diisocyanate is used in adhesives, coatings, elastomers, and polyurethane foams. Methylene diphenyl diisocyanate is a component of such materials as polyurethane resins and foams, and is also used to bond rubber to rayon and nylon. Lower RELs could increase future obsolescence risk of materials incorporating these substances.</b></p>	<a href="#">NASA Programs</a> should be aware of this action.
CA04232010-4	Proposition 65 Di-isodecyl Phthalate	04/23/2010	<a href="#">CRNR 2010. 17z, p. 614</a>	Proposed Action	<p>Office Of Environmental Health Hazard Assessment</p> <p>Proposition 65--Proposed Maximum Allowable Dosage Levels for Di-isodecyl Phthalate (DIDP) [27 CCR 25805]</p> <p>Proposes to establish a specific regulatory level having an MADL for DIDP, which is listed as a known reproductive toxicant under Proposition 65. Further information is available on the OEHHA rulemaking <a href="#">website</a>. Comments due 06/07/2010.</p> <p><b>DIDP is used as a plasticizer in PVC production, particularly in high-heat applications such as electrical insulations; it is also a component of some sealants and other materials. A lower maximum allowable dosage level could increase the obsolescence risk associated with certain materials incorporating DIDP.</b></p>	<a href="#">NASA Programs</a> should be aware of this action.

## 2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO04232010-1	Air NSPS	04/10/2010	<a href="#">CO Register</a> Vol. 33, No. 8	Proposed Rule	<p>Colorado Department of Public Health and Environment</p> <p>Air Quality Control Commission Regulations <a href="#">[5 CCR 1001]</a></p> <p>Proposal to revise 5 CCR 1001-8 Regulation Number 6, <a href="#">Standards of Performance for New Stationary Sources</a>, to incorporate by reference changes EPA made to its NSPS rules and Emission Guidelines in 40 CFR Part 60. A hearing will be held on 06/17/2010 at CDPHE in Denver, Colorado.</p>	
CO04232010-2	Hazardous Waste Administrative	04/10/2010	<a href="#">CO Register</a> Vol. 33, No. 8	Proposed Rule	<p>Colorado Department of Public Health and Environment</p> <p>Hazardous Materials and Waste Management Division Regulations <a href="#">[6 CCR 1007]</a></p> <p>Proposal to revise 6 CCR 1007-3, Hazardous Waste, to correct errors and inadvertent omissions. A hearing will be held on 05/18/2010 at CDPHE in Denver, Colorado..</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO04232010-3	Hazardous Waste Fees	04/10/2010	<a href="#">CO Register</a> Vol. 33, No. 8	Proposed Rule	Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division Regulations <a href="#">[6 CCR 1007]</a> Proposal to revise 6 CCR 1007-3 Part 6, Hazardous Waste Commission Fees, to reflect the annual Commission fee to be assessed for fiscal year 2010-2011. A hearing will be held on 05/18/2010 at CDPHE in Denver, Colorado.	
CO04232010-4	Water Surface Water	04/10/2010	<a href="#">CO Register</a> Vol. 33, No. 8	Adopted Rule	Colorado Department of Public Health and Environment Water Quality Control Commission Regulations <a href="#">[5 CCR 1002]</a> Revised 5 CCR 1002-94 Regulation Number 93, Colorado's Section 303(d) List of Impaired Waters and Monitoring and Evaluation List, to establish Colorado's List of Water-Quality-Limited Segments Requiring TMDLs and Colorado's Monitoring and Evaluation List. Effective 04/30/2010.	
CO04232010-5	Water Surface Water	04/10/2010	<a href="#">CO Register</a> Vol. 33, No. 8	Adopted Rule	Colorado Department of Public Health and Environment Water Quality Control Commission Regulations <a href="#">[5 CCR 1002]</a> Revised 5 CCR 1002-94, Colorado's Monitoring and Evaluation List. Regulation Number 94 has been incorporated into Regulation Number 93. Effective 04/30/2010.	

## 2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL04232010-1	Hazardous Waste	04/16/2010	<a href="#">FAW Notice #8297785</a>	Proposed Rule	Florida Department of Environmental Protection Hazardous Waste [Chapter 62-730] Proposed amendments would incorporate by reference the changes made to the federal hazardous waste regulations between 07/01/2008 and 06/30/2009. Proposed text is provided in the <a href="#">FAW Notice</a> . Comments due 05/07/2010.	
FL04232010-2	Water Florida Oceans and Coastal Council	04/23/2010	<a href="#">FAW Notice #7913180</a>	Notice Meeting	Florida Department of Environmental Protection Florida Oceans and Coastal Council The Florida Oceans and Coastal Council will hold a public meeting on 05/10/2010 to further its duties under the Oceans and Coastal Resources Act.	
FL04232010-3	Water SJRWMD-Permits	04/23/2010	<a href="#">FAW Notice #8551343</a>	Notice Meeting	St. John's River Water Management District Chapter 40C Announces a public meeting to receive public comment on pending applications for individual consumptive use permits or individual environmental resource permits. Scheduled for 05/25/2010 in Palatka, Florida.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL04232010-4	Water Storm Water	04/23/2010	<a href="#">FAW Notice #8536017</a>	Notice Workshop	<p>Florida Department of Environmental Protection</p> <p>Stormwater Treatment Draft Rule [Chapter 62-347, F.A.C.]</p> <p>Announces a public workshop to present the statewide storm water treatment draft rule Chapter 62-347, F.A.C., and Applicant's Handbook. FDEP, in coordination with the water management districts and a technical advisory committee, has developed storm water quality design and performance standards to update the existing criteria. The goal of the rule is to increase the level of nutrient treatment in storm water discharges and to provide statewide consistency by establishing revised storm water treatment performance standards and best management practices design criteria. The workshop is scheduled for 05/11/2010 in Tallahassee, Florida. This workshop replaces the workshop published in <a href="#">FAW Notice #8479175</a> on 04/09/2010.</p>	
FL04232010-5	Water Surface Water	04/23/2010	<a href="#">FAW Notice #8185265</a>	Proposed Rule	<p>Florida Department of Environmental Protection</p> <p>Surface Water Quality Standards [Chapter 62-302, F.A.C.]</p> <p>Proposes to revise the existing surface water classification system in Rule 62-302.400, F.A.C., Classification of Surface Waters, Usage, Reclassification, and Classified Waters, and 62-302.530, F.A.C., Table: Surface Water Quality Criteria. Proposed revisions are based on recommendations resulting from four workshops that were held on 08/18/2009, 11/18/2009, 01/07/2010, and 02/22/2010. The proposed revisions would establish a new sub-classification of Class III waters titled Class III-Limited that is intended to recognize that some artificial or altered waters cannot fully support a Class III use due to human-induced physical or habitat conditions. No surface waters are proposed for reclassification as part of this rulemaking nor are there any changes to water quality criteria. Proposed text is provided in the <a href="#">FAW Notice</a>. Comments due 05/14/2010. A hearing is scheduled for 05/20/2010 at FDEP in Tallahassee, Florida.</p>	

## 2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA04232010-1	Air Emission Standards	04/14/2010	<a href="#">75 FR 19252</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the State of Louisiana (40 CFR Parts 60, 61, and 63)</p> <p>Delegates authority for implementation and enforcement of certain NSPS and NESHAPs to LDEQ. With these delegations, LDEQ will have the primary responsibility to implement and enforce the delegated standards in Louisiana. Comments due 05/14/2010. If no adverse comments are received, rule is effective 06/14/2010.</p>	



Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA04232010-2	Water Spill Prevention and Control	04/20/2010	36 LR 4 <a href="#">p. 858</a> <a href="#">WQ079</a>	Proposed Rule	Louisiana Department of Environmental Quality Spill Prevention and Control [Title 33, Part IX, Subpart 1, Chapter 9]  Proposes to increase the minimum container volume for applicability of the spill prevention provisions from 660 gallons to 1,320 gallons, and to establish a <i>de minimis</i> container size for aggregate container applicability that excludes containers smaller than 55 gallons of oil from consideration. It also will increase the interval between operators' required reviews of their spill prevention plans from 3 to 5 years. There also are minor corrections of grammar and updates of acronym changes in the Rule. A public hearing will be held in Baton Rouge, Louisiana, on 05/26/2010. Comments due 06/02/2010	<b>MAF</b> should consider reviewing the proposal to determine potential impacts.

## 2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD04232010-1	Water Water Pollution	04/23/2010	<a href="#">37:9 Md.R. 673</a>	Final Action	Department of Environment Guidelines for Discharge to Ground Waters <a href="#">[COMAR 26.08.02.09]</a>  Amended regulations to update the Land Treatment Guidelines to include irrigation of Class III treated wastewater effluent onto non-restricted public access areas in promoting water reuse and to clarify the content of the existing Guidelines. Effective 05/03/2010.	

### 2.6.1 MDE Regulations in Development

MDE is in the process of developing the following regulations:

- **Update to Mixed Waste Rulemaking** [\[COMAR 26.13.10\]](#). Rule would conditionally exempt mixed waste (waste that is regulated as hazardous waste and also is radioactive) from most hazardous waste regulations provided it is managed in accordance with Nuclear Regulatory Commission regulations. The target effective date is October 2010. MDE currently is finalizing its technical review.
- **Update to Cathode Ray Tube Management Standards** [\[COMAR 26.13.01\]](#) and [26.13.02](#). Rule would streamline management standards for CRTs and CRT glass being recycled. The target effective date is October 2010. MDE currently is finalizing its technical review.
- **Update to Hazardous Waste Identification Rule-Contaminated Media and Debris** [\[COMAR 26.13.02, 26.13.05, 26.13.06, and 26.13.07\]](#). Rule would establish a Department-approved remedial action plan as a form of permit when operations involved in cleaning up a contaminated site would otherwise trigger permit requirements for hazardous waste treatment or disposal. The target effective date is October 2010. MDE currently is finalizing its technical review.
- **Update to Sewage Sludge Management** [\[COMAR 26.04.06\]](#). Rule would update and modernize existing regulations on Sewage Sludge Management in the state. The target

effective date is September 2010. The final draft is being reviewed by the Office of the Attorney General.

- **Storm Water Management Regulations** [[COMAR 26.17.02](#)]. Rule will establish emergency regulations regarding grandfathering and other waiver provisions. Target effective date is April 2010.
- **Sediment Control Regulations** [[COMAR 26.17.01](#)]. Rule would update the (2010) Maryland Standards and Specifications for Soil Erosion and Sediment Control and implement other appropriate regulatory revisions. Incorporation of EPA's new Effluent Guidelines for Construction Activities will change MDE's approach to addressing Turbidity Control Systems. MDE must revise its proposed regulation package and the draft "2010 Maryland Standards and Specifications for Soil Erosion and Sediment." Target date TBD.

## 2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS04232010-1	Water Impaired Water Bodies List	04/09/2010	Mississippi Adm. Bulletin #16258, <a href="#">Notice and Full Text</a>	Proposed Rule	Mississippi Department of Environmental Quality Clean Water Act 2010 Section 303(d) List of Impaired Water Bodies  Proposes the 2010 List of Impaired Water Bodies for Mississippi. The document fulfills the state's obligation to develop a list of the state's impaired waters. Water bodies on the list are required to have TMDLs determined for each pollutant added to the water that causes impairment. A public hearing will be held on 04/11/2010 in Jackson, Mississippi. Comments due 04/11/2010. Proposed effective date 06/27/2010.	

### 2.7.1 Mississippi Authorized to Implement the Lead Renovation Program

On 9 April 2010, the State of Mississippi received [authorization](#) to administer and enforce EPA's Lead Renovation Program. The authorization became effective upon EPA's receipt of the state's certified Renovation Authorization Application. EPA has certified that the Mississippi Program, which will be administered by MDEQ, is at least as protective as EPA's program and provides adequate enforcement. This authorization also will enable MDEQ to administer and enforce the Lead RRP Program.

The RRP program mandates that contractors, property managers, and others working for compensation in homes and child-occupied facilities built before 1978 must be trained and use lead-safe work practices. They also are required to provide the lead pamphlet, "Renovate Right; Important Lead Hazard Information for Families, Child Care Providers and Schools," to owners and occupants before starting renovation work.

For more information about Mississippi's lead-based paint program, including information regarding applying for certification or locating training, visit the [MDEQ website](#).

## 2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM04232010-1	Air GHG	04/15/2010	<a href="#">NM Register Vol. XXI, p. 7</a>	Notice	Environmental Improvement Board <a href="#">Statewide Air Quality Regulations [20.2 NMAC]</a>  Announces public hearings to discuss revisions to the Statewide Air Quality Regulations related to a proposal to require GHG emission reductions. Proposal would require GHG reductions from entities that emit more than 25,000 metric tons of GHG emissions annually and are within the oil and gas and electricity generation sectors. Public hearing sessions will be held in Santa Fe, New Mexico, from 06/21 through 06/22/2010; 07/12 through 07/16/2010; 07/19 through 07/23/2010; 07/26 through 07/30/2010; and subsequent days as necessary to complete the hearing.	

## 2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH04232010-1	Waste Hazardous Waste	04/14/2010	<a href="#">DHWM Rules</a>	Proposed Rule	Division of Hazardous Waste Management, OEPA  Public Notice of Proposed Rules Governing Hazardous Waste Management [OAC 3745]  Proposes 213 hazardous waste management rules known as the "Set J" rules. The primary purpose of this proposal is to adopt rules consistent with and equivalent to federal RCRA regulations. Further details regarding the proposed rule, including the <a href="#">Public Notice</a> , are available on the OEPA <a href="#">website</a> . A public hearing will be held on 05/20/2010. Comments due 05/20/2010.	

## 2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX04232010-1	Air Qualified Facilities Program	04/16/2010	<a href="#">35 TexReg 2978</a>	Proposed Rules	<p>Texas Commission on Environmental Quality</p> <p>Control of Air Pollution by Permits for New Construction or Modification [30 TAC 116]</p> <p>Proposes changes to the qualified facility program, which deals with facilities that request authorizations that fall below federal NSR permit limits. Provides further definition of the term "facility." Proposes to explicitly identify the program as a Minor New Source Review Program, meaning that only proposed changes below emissions thresholds are eligible to participate. Proposes amendments to notification requirements regarding changes to qualified facilities. Comments due 05/17/2010. Public hearing to be held 05/10/2010 in Austin, Texas.</p>	
TX04232010-2	Air SIP - Qualified Facilities Program	04/14/2010	<a href="#">75 FR 19467</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review State Implementation Plan; Modification of Existing Qualified Facilities Program and General Definitions; Final Rule [40 CFR Part 52]</p> <p>Disapproves revisions to the Texas SIP related to the Qualified Facilities Program because it does not meet the Minor NSR SIP requirements nor does it meet the NSR SIP requirements for a substitute Major NSR SIP revision. Approves three definitions ("grandfathered facility," "maximum allowable emission rate table," and "new facility"). Makes an administrative correction to the SIP-approved definition of "facility". Effective 05/14/2010.</p>	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX04232010-3	Waste Management Scrap Tires	04/16/2010	<a href="#">35 TexReg 3591</a>	Proposed Rules	<p>Texas Commission on Environmental Quality Waste Minimization and Reclamation [30 TAC 328]</p> <p>Proposes to require applicants for scrap tire facilities and LRPUs to request input from local authorities, including fire authorities, and to resolve any noncompliance issues with local requirements before an application could be approved. Proposed amendments would clarify that LRPUs are subject to annulment, suspension, revocation, denial, and motions to overturn. Would authorize the executive director to withhold approval or request additional information for a LRU application for reasons related to protecting public health and the environment. LRU applications would be required to include information about groundwater levels in the area, and the executive director could require additional information about groundwater levels at the proposed site. Other proposed changes would clarify the exemption from the timeframe requirement to split, quarter, or shred off-the-road tires before disposal. Comments due 05/17/2010. Public hearing to be held 05/11/2010 in Austin, Texas.</p>	

### 2.10.1 TCEQ Considering Section 185 Termination Submittal

The TCEQ is developing a Section 185 termination determination submittal for EPA consideration. This request, if submitted, would request that EPA determine that a Section 185 fee program is not needed for the HGB 1-hour nonattainment area because the latest (2007 through 2009) ambient monitoring data indicate measured attainment of the 1997 8-hour ozone standard and attainment is due to permanent and enforceable emission reductions. A meeting to discuss the possible request will be held on 28 April 2010 at the Houston-Galveston Area Council. TCEQ also will accept comments about the proposed submittal until 30 April 2010.

### 2.10.2 Highly Reactive Volatile Organic Compounds Stakeholder Group Meeting

The TCEQ will conduct a stakeholder group meeting on 14 May 2010 at 2:00 p.m. at the Houston-Galveston Area Council to provide instructional training in properly completing the [Highly Reactive Volatile Organic Compound Emissions Cap and Trade](#) Baseline Emissions Certification Form (due on or before 1 July 2010). For more information about this meeting, contact [Luke Baine](#) of the TCEQ Stationary Source Programs Team.

## 2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

## 2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the Virginia Register (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA04232010-1	Air Virginia SIP	04/22/2010	<a href="#">VDEQ website</a>	Public Notice	Virginia Department of Environmental Quality Permits for Stationary Sources [9VAC5-80] Proposes amending definitions to specify that nitrogen oxides are a precursor to ozone and VOCs. Would also amend list of exempted facilities. Further information is available in the <a href="#">Public Notice</a> and <a href="#">draft proposal</a> . Comments due 05/27/2010.	